

UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE UNITED STATES TRUSTEE
ANDREW R. VARA
ACTING UNITED STATES TRUSTEE, REGION 3
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

	:	Case No. 18-31186(SLM)
In re	:	Chapter 7
	:	
Jesse J. Johnstone,	:	The Honorable Stacey L. Meisel
	:	
	:	Hearing Date: February 26, 2019, at 10:00 a.m.
Debtor.	:	
	:	

**MOTION OF THE ACTING UNITED STATES TRUSTEE
FOR AN EXTENSION OF TIME TO FILE A MOTION TO DISMISS CASE UNDER
11 U.S.C. §§ 707(b)(1) AND (3), AND AN EXTENSION OF TIME TO FILE A
COMPLAINT OBJECTING TO DISCHARGE UNDER 11 U.S.C. § 727
IN LIGHT OF LAPSE OF APPROPRIATIONS**

The Acting United States Trustee for Region 3 hereby moves under Fed. R. Bankr. P. 9013, and under all other applicable statutes and rules, for an extension of time to file a motion to dismiss case under 11 U.S.C. §§ 707(b)(1) and (3), and an extension of time to file a complaint objecting to discharge under 11 U.S.C. § 727 to March 25, 2019, in the above-captioned matter.

1. At the end of the day on December 21, 2018, the Congressional appropriations funding the Department of Justice, including the United States Trustee Program, expired.

2. Absent an appropriation, Department of Justice attorneys and employees, including the Acting United States Trustee and his staff, are prohibited from working, even on a

voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. On December 28, 2018, the Honorable Kathryn C. Ferguson, Chief Judge of the United States Bankruptcy Court, entered a General Order Incorporating by Reference Standing Order 18-4 of the United States District Court for the District of New Jersey as Applied to Bankruptcy Cases and Adversary Proceedings, suspending pending deadlines for a period of thirty days from the date of the District Court’s Standing Order 18-4.

4. Accordingly, counsel for the Acting United States Trustee, therefore requests an extension of time to file a motion to dismiss case under 11 U.S.C. §§ 707(b)(1) and (3), and an extension of time to file a complaint objecting to discharge under 11 U.S.C. § 727 to March 25, 2019.

5. Therefore, although we greatly regret any disruption caused to the Court and other litigants, the Acting United States Trustee hereby moves for an extension of time to file a motion to dismiss case under 11 U.S.C. §§ 707(b)(1) and (3), and an extension of time to file a complaint objecting to discharge under 11 U.S.C. § 727 to March 25, 2019, in the above-captioned matter until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

ANDREW R. VARA
ACTING UNITED STATES TRUSTEE
REGION 3

By: /s/Martha R. Hildebrandt
Martha R. Hildebrandt
Assistant U.S. Trustee

DATED: January 24, 2019